



January 28, 2005

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## HOUSE BILL No. 1302

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DIGEST OF HB 1302 (Updated January 26, 2005 2:44 pm - DI 14)

**Citations Affected:** IC 15-4.

**Synopsis:** Regulation of seeds. Prohibits a political subdivision from regulating the storage and use of seeds unless the political subdivision is granted a waiver by the state seed commissioner.

**Effective:** July 1, 2005.

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**Gutwein, Friend, Grubb**

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January 11, 2005, read first time and referred to Committee on Agriculture and Rural Development.  
January 27, 2005, reported — Do Pass.

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HB 1302—LS 7563/DI 77+



January 28, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## HOUSE BILL No. 1302

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 15-4-1-16 IS ADDED TO THE INDIANA CODE  
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2005]: **Sec. 16. (a) Except as provided in subsection (c), a political**  
4 **subdivision (as defined in IC 36-1-2-13) may not regulate the**  
5 **advertising, labeling, distribution, sale, transportation, storage, or**  
6 **use of seeds.**

7 (b) A political subdivision may, by resolution, petition the state  
8 seed commissioner for a hearing to allow a waiver to adopt an  
9 ordinance because of special circumstances relating to the  
10 advertising, labeling, distribution, sale, transportation, storage, or  
11 use of seeds. If a petition is received, the state seed commissioner  
12 shall hold a public hearing to consider granting the waiver  
13 requested. The public hearing must be conducted in an informal  
14 manner. IC 4-21.5 does not apply to a public hearing under this  
15 section.

16 (c) If the state seed commissioner, after a public hearing under  
17 subsection (b), grants a political subdivision's petition for a waiver,

HB 1302—LS 7563/DI 77+



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1 the political subdivision may regulate the advertising, labeling,  
2 distribution, sale, transportation, storage, or use of seeds to the  
3 extent allowed by the waiver.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1302, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

GUTWEIN, Chair

Committee Vote: yeas 12, nays 0.

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